

**IN THE UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF TEXAS  
SHERMAN DIVISION**

**FILED**  
U.S. DISTRICT COURT  
EASTERN DISTRICT OF TEXAS

**JAN 15 2013**

**DAVID E MACK**  
*Plaintiff,*

**vs**

**NCO FINANCIAL SYSTEMS, INC.**  
*Defendant.*

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**Cause no. 4:12-cv-304**

BY  
DEPUTY

**MOTION FOR ORDER OF DISMISSAL**

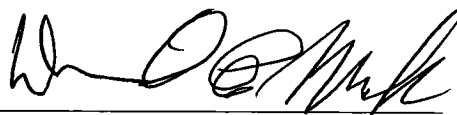
COMES NOW the Plaintiff, David E. Mack, who after careful consideration, and with much reluctance, brings this motion to request the Court issue an order dismissing this case without prejudice. The Plaintiff has been experiencing severe vision impairment and substantial discomfort issues for a period of months and over the last number of weeks has found it extremely difficult, and at numerous times impossible, to read or use the computer for more than a few minutes at a time because of this impairment.

Because he is a pro se litigant, Plaintiff does not have a support staff and has been unable to properly proceed with this case doing research, diligently proceed with his discovery, and make appropriate responses to the Defendant's pleadings and most importantly, does not know when or if this vision impairment may be resolved. Plaintiff has been making efforts toward resolution of this problem with very limited results to date.

Defendant has not filed a counterclaim in this matter and would not be prejudiced by a dismissal of this action for the above stated reasons.

WHEREFORE, the Plaintiff respectfully moves this Honorable Court to issue an order of dismissal of this action without prejudice so that at some future time, if and when the Plaintiff's vision problems may have sufficiently improved, this cause of action may again be brought before the Court for a proper examination of the issues and justice properly served.

Respectfully Submitted,

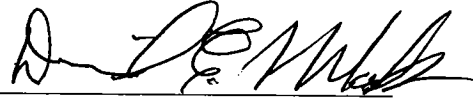
A handwritten signature in black ink, appearing to read 'David E Mack', written over a horizontal line.

David E Mack  
7720 McCallum Blvd. # 2099  
Dallas, Texas 75252  
972-735-9642

**CERTIFICATE OF SERVICE**

The true and correct copy of the foregoing document was sent to the below named parties by first class USPS mail.

Signed January 15, 201

A handwritten signature in black ink, appearing to read "David E Mack", written over a horizontal line.

David E Mack

Whitney White  
Sessions Fishman Nathan  
& Israel, LLC  
900 Jackson Street Suite 440  
Dallas, Texas 75202